

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office... NOV 14 1974

Returned to applicant for correction.....

Corrected application filed.....

Map filed... July 12, 1963, under 21389

The applicant... Nye County Development Co., Inc., c/o Anglo Fabrics
1407 Broadway, of New York
Street and No. or P.O. Box No. City or Town
New York 10018, hereby make^s application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
tion; if a copartnership or association, give names of members.) Reno, Nevada - February, 1962

1. The source of the proposed appropriation is... Underground
Name of stream, lake or other source.

2. The amount of water applied for is... 2.50 ...second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet... acre-feet

3. The water to be used for... Irrigation & Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)... 320

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: Lot 8 of Sec. 33, T.16S.,
R.49E., M.D.B.&M., or at a point from which the SE corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
Section 33 bears S. 26° 01' 00" E., 1095 feet.
It should be stated.

6. Place of use... Lots 1, 2, 3, 4, 5, 6, 7 and 8 of Sec. 33, T.16S., R.49E.,
Describe by legal subdivision, if on unsurveyed land it should be so stated.
M.D.B.&M.

7. Use will begin about... January 1st ...and end about... December 31st ...of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled well, sprinklers, pump,
and motor.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works... \$12,000
10. Estimated time required to construct works... Two years
11. Estimated time required to complete the application to beneficial use... Five years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

We request that the map filed under 21389 be accepted as a supporting map for this application

Applicant Nye County Development Co., Inc.

By s/ R. LeRoy Givens
R. LeRoy Givens, State Water Right
Surveyor, c/o Boyle Engineering Corp.,
1209 S. Commerce St.
Las Vegas, Nevada 89102

Compared jw/bs lk/jw

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the final determination of litigation pending in the United States District Court for the District of Nevada styled United States of America vs. Francis Leo Cappaert et al., Civil - LV 1687.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before September 24, 1975

Proof of commencement of work shall be filed before October 24, 1975

Work must be prosecuted with reasonable diligence and be completed on or before September 24, 1976

Proof of completion of work shall be filed before October 24, 1976

Application of water to beneficial use shall be made on or before September 24, 1979

Proof of the application of water to beneficial use shall be filed on or before October 24, 1979

Map in support of proof of beneficial use shall be filed on or before October 24, 1979

Commencement of work filed... IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD
Completion of work filed... State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed... my office, this 24th day of March

Cultural map filed...
Certificate No. NOV 29 1976 A.D. 19 75
Recorded CANCELLED Page 567
OF APPLICATION TO COMPLY WITH PROVISIONS OF PERMIT
218 (Rev. 1-75)
Roland D. Westergard
STATE ENGINEER